

Section #3

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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NANCY J. LEITH**
TARJA H. NAUKKARINEN**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENTS



March 28, 2000

WRITER'S DIRECT NUMBER:
(202) 371-2626

INTERNET ADDRESS:
sludwig@skgf.com

Assistant Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Utility Patent Application
Appl. No. 09/475,158; filed December 30, 1999
For: **PTH Functional Domain Conjugate Peptides, Derivatives Thereof and
Novel Tethered Ligand-Receptor Molecules**
Inventors: Gardella *et al.*
Our Ref: 0609.4780001/SRL/TBB

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated February 11, 2000, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal (Form PTO/SB/17) (in duplicate);
2. Copy of the Notice to File Missing Parts;
3. Original Declaration, executed by the inventors;
4. A Power of Attorney from Assignee, executed on behalf of The General Hospital Corporation;
5. A Certificate Under 37 C.F.R. § 3.73(b), executed on behalf of The General Hospital Corporation, with copy of Assignment attached;

6. Return postcard; and

Assistant Commissioner for Patents

March 28, 2000

Page 2

7. Our Check No. 27069 for \$2,406.00 to cover:

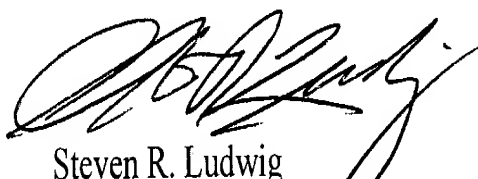
- \$ 690.00 Basic filing fee (37 C.F.R. § 1.16(a));
- 156.00 Independent claims in excess of three (37 C.F.R. § 1.16(b));
- 1,170.00 Claims in excess of twenty (37 C.F.R. § 1.16(c));
- 260.00 Multiple dependent claim (37 C.F.R. § 1.16(c));
- 130.00 Surcharge - late filing fee or declaration (37 C.F.R. § 1.16(e)).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Steven R. Ludwig
Attorney for Applicants
Registration No. 36,203



#3
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

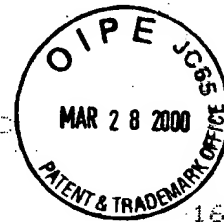
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/475,158 12/30/99 GARDELLA

0609,4780001

0242/0211

STERNE KESSLER GOLDSTEIN & FOX P L L C
ATTORNEYS AT LAW
1100 NEW YORK AVENUE N W
SUITE 600
WASHINGTON DC 20005-3934



DATE MAILED:

02/11/00

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 2,280.

☒ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 1,044 for 58 total claims over 20.

\$ 156 for 2 independent claims over 3.

\$ 260 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

03CO
#4

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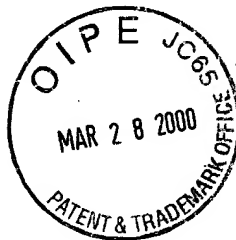
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**REGISTERED PATENT AGENTS



March 28, 2000

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WRITER'S DIRECT NUMBER:

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sludwig@skgf.com

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 09/475,158; filed December 30, 1999
For: **PTH Functional Domain Conjugate Peptides, Derivatives Thereof and
Novel Tethered Ligand-Receptor Molecules**
Inventors: Gardella *et al.*
Our Ref: 0609.4780001/SRL/TBB

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement (in duplicate);
2. Form PTO-1449 (11 sheets) and accompanying (62) references; and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Assistant Commissioner for Patents

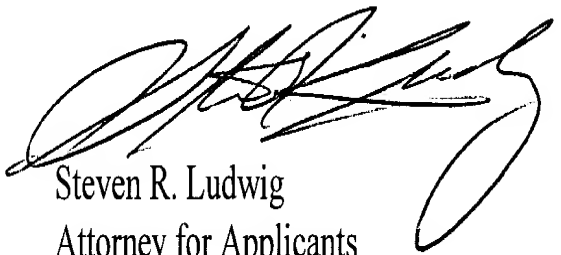
March 28, 2000

Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'Steven R. Ludwig', is written over the typed name.

Steven R. Ludwig
Attorney for Applicants
Registration No. 36,203

SRL/TBB/dab

P:\USERS\DENISEB\0609\4781\idscov

Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2000 <i>Patent fees are subject to annual revision. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</i>		Complete if Known	
		Application Number	09/475,158
TOTAL AMOUNT OF PAYMENT (\$) <u>2,406.00</u>		Filing Date	December 30, 1999
		First Named Inventor	Thomas J. Gardella et al.
		Examiner Name	(to be assigned)
		Group / Art Unit	1643
		Attorney Docket Number	0609.4780001/SRL/TBB

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																		
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number: <u>19-0036</u> Deposit Account Name: <u>Sterne, Kessler, Goldstein & Fox P.L.L.C.</u> <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17	3. ADDITIONAL FEES <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,210</td><td>241</td><td>605</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>430</td><td>243</td><td>215</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>580</td><td>244</td><td>290</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>760</td><td>246</td><td>380</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149</td><td>760</td><td>249</td><td>380</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr></tbody></table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	130	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	380	216	190	Extension for reply within second month		117	870	217	435	Extension for reply within third month		118	1,360	218	680	Extension for reply within fourth month		128	1,850	228	925	Extension for reply within fifth month		119	300	219	150	Notice of Appeal		120	300	220	150	Filing a brief in support of an appeal		121	260	221	130	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,210	241	605	Petition to revive - unintentional		142	1,210	242	605	Utility issue fee (or reissue)		143	430	243	215	Design issue fee		144	580	244	290	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))		149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	
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2. EXTRA CLAIM FEES <table border="1"><thead><tr><th>Extra</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Total Claims <u>85</u> - 20** = <u>65</u></td><td>X <u>18</u></td><td>= <u>1,170</u></td></tr><tr><td>Indep. Claims <u>5</u> - 3** = <u>2</u></td><td>X <u>78</u></td><td>= <u>156</u></td></tr><tr><td>Multiple Dependent</td><td><u>260</u></td><td>= <u>260</u></td></tr></tbody></table> ** or number previously paid, if greater; For Reissues, see below <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr><tr><td>102</td><td>78</td><td>202</td><td>39</td><td>Independent claims in excess of 3</td></tr><tr><td>104</td><td>260</td><td>204</td><td>130</td><td>Multiple dependent claim</td></tr><tr><td>108</td><td>78</td><td>209</td><td>39</td><td>**Reissue independent claims over original patent</td></tr><tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr><tr><td colspan="5">SUBTOTAL (2)</td><td>(\$)<u>1,586.00</u></td></tr></tbody></table>	Extra	Fee from below	Fee Paid	Total Claims <u>85</u> - 20** = <u>65</u>	X <u>18</u>	= <u>1,170</u>	Indep. Claims <u>5</u> - 3** = <u>2</u>	X <u>78</u>	= <u>156</u>	Multiple Dependent	<u>260</u>	= <u>260</u>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	78	202	39	Independent claims in excess of 3	104	260	204	130	Multiple dependent claim	108	78	209	39	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent	SUBTOTAL (2)					(\$) <u>1,586.00</u>																																																																																																																			
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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Steven R. Ludwig			Reg. Number	36,203
Signature				Deposit Acct. User ID	
Date	March 28, 2000				